



*Handwritten initials: JUSA HAO*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA ) Magistrate Case No. **08 MJ 8575**  
 )  
Plaintiff, ) COMPLAINT FOR VIOLATION OF  
 )  
v. ) 21 U.S.C. § 952 and 960  
 ) Importation of a Controlled  
Luis Alberto VALENZUELA-Rubio, ) Substance (Felony)  
 )  
Defendant. )

The undersigned complainant being duly sworn states:

That on or about June 25, 2008, within the Southern District of California, defendant Luis Alberto VALENZUELA-Rubio did knowingly and intentionally import approximately 19.94 kilograms (43.86 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Joe Morquecho, Special Agent  
U. S. Immigration & Customs  
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 27<sup>TH</sup>  
DAY OF JUNE 2008.

WILLIAM McCURINE, JR.  
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Luis Alberto VALENZUELA-Rubio

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents,  
6 and notes furnished to U. S. Immigration and Customs Enforcement  
7 Special Agent Joe Morquecho.

8 On June 25, 2008, at approximately 1330 hours, Luis Alberto  
9 VALENZUELA-Rubio (VALENZUELA) entered the United States at the  
10 Calexico, California, West Port of Entry. VALENZUELA was the  
11 sole occupant driver and registered owner of 1995 Ford Bronco.

12 Customs Border Protection Officer Mendibles was assigned to  
13 primary lanes when VALENZUELA entered his lane. VALENZUELA gave  
14 Officer Mendibles a negative oral Customs declaration.  
15 VALENZUELA stated he was the owner of the vehicle. Officer  
16 Mendibles noted the vehicle's gas tank appeared recently tampered  
17 with. Officer Mendibles escorted VALENZUELA and the vehicle to  
18 the vehicle secondary lot.

19 In the vehicle secondary lot, Officer Mendibles requested  
20 Canine Enforcement Officer (CEO) Garcia screen the vehicle for  
21 contraband with his assigned Narcotic Detector Dog (NDD). CEO  
22 Garcia noted his NDD alerted to the vehicle.

23 A subsequent inspection of the vehicle revealed seventeen  
24 (17) packages in the gas tank of the vehicle. Officer Mendibles  
25 probed one of the packages and a sample of a white powdery  
26 substance was obtained, which field tested positive for cocaine.  
27 The seventeen (17) packages had a combined net weight of  
28 approximately 19.94 kilograms (43.86 pounds).

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1 VALENZUELA was placed under arrest and advised of his  
2 Constitutional Rights, which he acknowledged and waived.  
3 VALENZUELA stated he had agreed to smuggle marijuana into the  
4 United States from Mexico and he was going to be paid \$3,000.00  
5 to drive the vehicle to an undisclosed location in San Diego, CA.  
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